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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**
11 **SACRAMENTO DIVISION**

12 YVONNE BAKER,

13 Plaintiff,

14 v.

15 KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

16 Defendant.
17
18

No. 2:22-cv-01822-DMC

**STIPULATION AND ORDER TO
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. §§ 405(g), 1383(c)(3)**

19 The parties stipulate, subject to the approval of the Court, that this action shall be
20 remanded to the Commissioner of Social Security pursuant to section 205(g) of the Social
21 Security Act, as amended, 42 U.S.C. §§ 405(g), 1383(c)(3), sentence four. Upon remand, the
22 Appeals Council will instruct the Administrative Law Judge to perform a *de novo* review of the
23 evidence, offer the claimant an opportunity for a new hearing, and issue a new decision.

24 The parties further stipulate that the clerk shall enter judgment in favor of Plaintiff and
25 against Defendant.
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Respectfully submitted,

DATE: May 15, 2023

/s/ Francesco P. Benavides

FRANCESCO P. BENAVIDES

Law Offices of Francesco Benavides

Attorney for Plaintiff

(*Authorized via email on behalf of Plaintiff on
May 10, 2023)

PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

Social Security Administration

DATE: May 15, 2023

By: /s/ Krystle S. McMullan

KRYSTLE S. MCMULLAN

Special Assistant U.S. Attorney

Attorneys for Defendant

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 15, 2023



DENNIS M. COTA

UNITED STATES MAGISTRATE JUDGE